

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
D E P A R T M E N T O F H E A L T H



Safe and Healthy Lives in Safe and Healthy Communities

**BOARD OF MEDICAL LICENSURE AND
DISCIPLINE**

No. C00-035

In the matter of:
David B. Stoll, M.D.
License Number MD06416

Consent Order

Pursuant to R.I. Gen. Laws §5-37-5.2, 1956, as amended, (1995 Reenactment) complaints were filed with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") charging David B. Stoll, M.D., Respondent, with violations of §5-37-5.1. An investigation was conducted by Investigating Committee I, so called, of the Board. The following constitutes the Investigating Committee's Findings of Fact with respect to the professional performance of the Respondent.

Findings of Facts

1. The Respondent came to the attention to the Board of Medical Licensure and Discipline following his arrest for diverting controlled substances from his patients for his own use. The Respondent entered a nolo contendere plea in Superior Court and entered into a deferred sentence agreement.
2. The Board undertook its own investigation, which revealed a pattern of diversion.

3. On March 24, 2000, the Respondent entered into an interim agreement with the Board in which he agreed to cease practice immediately and voluntarily entered a clinic to evaluate him and make treatment recommendations. Following this evaluation the Respondent entered a ninety-day treatment program for substance abuse.
4. The Respondent cooperated fully with each and every recommendation of the Board of Medical Licensure and Discipline and the recommendations of the evaluation and treatment programs.
5. The Board finds the Respondent violated R.I.G.L. 5-37-5.1(19) and (26) for failure to adhere to the minimal standards of acceptable practice and for violating state and federal laws relating to controlled substances.

The parties agree as follows:

- (1) The Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, allopathic license No. MD06416. Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board for all relevant times.
- (2) Respondent has read this Consent Order and understands that it represents the findings of Investigating Committee II of the Board.
- (3) Respondent hereby acknowledges and waives:
 - a. The right to appear personally or by counsel or both before the Board;
 - b. The right to produce witnesses and evidence in his behalf at a hearing;

- c. The right to cross examine witnesses;
- d. The right to have subpoenas issued by the Board;
- e. The right to further procedural steps except for specifically contained herein;
- f. Any and all rights of appeal of this Consent Order;
- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
- h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
- i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.

(4) Acceptance of this Consent Order constitutes an acknowledgement by the Respondent of the Investigative Findings set forth herein.

(5) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board.

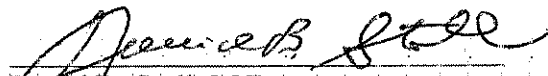
(6) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.

(7) The Respondent accepts the Board's finding of unprofessional conduct with the sanction of a six (6) month suspension of his license to practice medicine, two months of which shall be stayed. Further, the Respondent voluntarily surrenders his controlled substances license for a period of two years. The Respondent shall enter into a five year monitoring agreement


with the Physician's Health Committee of the Rhode Island Medical Society. Random urine and blood screens shall be ordered on a regular basis as determined by the Board of Medical Licensure and Discipline. The results of these screens shall be forwarded directly to the Board and his monitors. It shall be the sole responsibility of the Respondent to insure that each and every aspect of this agreement, the contract with the Physician's Health Committee and the recommendations of his monitors are effectuated. Any failure to obtain a urine or blood screen without cause acceptable to the board within 24 hours will have the effect of a positive screen and will result in the summary suspension of the Respondent's license. In addition, the Respondent shall continue his ongoing psychiatric management and the responsible psychiatrist shall report on a quarterly basis to the Board on the continuing compliance of the Respondent.

- (8) The Respondent agrees to pay an administrative fee of \$500 (five hundred dollars) within 6 months of ratification of this order.

Signed this 4th day of August, 2000


David B. Stoll, M.D.

Ratified by the Board of Medical Licensure and Discipline on August 9, 2000.


Patricia A. Nolan, MD, MPH
Director of Health